

House Engrossed Senate Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-sixth Legislature  
Second Regular Session  
2004

CHAPTER 184

## **SENATE BILL 1250**

AN ACT

AMENDING SECTIONS 16-121.01, 16-152, 16-165, 16-168, 16-242, 16-311, 16-312, 16-341, 16-466, 16-584, 16-592, 16-664, 16-913 AND 16-917, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS AND ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 16-121.01, Arizona Revised Statutes, is amended to read:

16-121.01. Requirements for proper registration

A. A person is presumed to be properly registered to vote on completion of a registration form as prescribed by section 16-152 that contains at least the name, the residence address or the location, the date of birth and the signature or other statement of the registrant as prescribed by section 16-152, subsection A, paragraph 20 AND A CHECKMARK OR OTHER APPROPRIATE INDICATOR THAT THE PERSON ANSWERED "YES" TO THE QUESTION REGARDING CITIZENSHIP. ~~Beginning on December 1, 2003, The completed registration form must also contain the person's Arizona driver license number, the nonoperating identification license number issued pursuant to section 28-3165, the last four digits of the person's social security number or the unique identifying number assigned by the secretary of state pursuant to section 16-168~~ THE PERSON'S AFFIRMATION THAT IF AN ARIZONA DRIVER LICENSE NUMBER, NONOPERATING IDENTIFICATION LICENSE NUMBER OR THE LAST FOUR DIGITS OF THE PERSON'S SOCIAL SECURITY NUMBER IS NOT PROVIDED, THE PERSON DOES NOT POSSESS A VALID ARIZONA DRIVER OR NONOPERATING IDENTIFICATION LICENSE OR A SOCIAL SECURITY NUMBER AND THE PERSON IS HEREBY REQUESTING THAT A UNIQUE IDENTIFYING NUMBER BE ASSIGNED BY THE SECRETARY OF STATE PURSUANT TO SECTION 16-152, SUBSECTION A, PARAGRAPH 12, SUBDIVISION (c).

B. The presumption in subsection A of this section may be rebutted only by clear and convincing evidence of any of the following:

1. That the registrant is not the person whose name appears on the register.

2. That the registrant has not resided in this state for twenty-nine days next preceding the election or other event for which the registrant's status as properly registered is in question.

3. That the registrant is not properly registered at an address permitted by section 16-121.

4. That the registrant is not a qualified registrant under section 16-101.

Sec. 2. Section 16-152, Arizona Revised Statutes, is amended to read: 16-152. Registration form

A. The form used for the registration of electors shall contain:

1. The date the registrant signed the form.

2. The REGISTRANT'S given name ~~of the registrant~~, middle name, if any, and surname.

3. THE complete address of THE REGISTRANT'S actual place of residence, including street name and number, apartment or space number, city or town and zip code, or such description of the location of the residence that it can be readily ascertained or identified.

1           4. THE REGISTRANT'S complete mailing address, if different from THE  
2 residence address, including post office address, city or town, zip code or  
3 other designation used by the registrant for receiving mail.

4           5. THE REGISTRANT'S party preference.

5           6. THE REGISTRANT'S telephone number, unless unlisted.

6           7. THE REGISTRANT'S state or country of birth.

7           8. THE REGISTRANT'S date of birth.

8           9. THE REGISTRANT'S occupation.

9           10. THE REGISTRANT'S Indian census number (optional to registrant).

10          11. THE REGISTRANT'S father's name or mother's maiden name.

11          12. ~~Beginning on December 1, 2003,~~ One of the following identifiers for  
12 each registrant:

13           (a) The Arizona driver license number of the registrant or  
14 nonoperating identification license number of the registrant that is issued  
15 pursuant to section 28-3165, if the license is current and valid.

16           (b) If the registrant does not have a current and valid Arizona driver  
17 license or nonoperating identification license, the last four digits of the  
18 registrant's social security number.

19           (c) If the registrant does not have a current and valid Arizona driver  
20 license or nonoperating identification license or a social security number  
21 AND THE REGISTRANT ATTESTS TO THAT, a unique identifying number consisting  
22 of the registrant's unique identification number TO BE assigned by the  
23 secretary of state in the statewide electronic voter registration database.

24          13. A statement as to whether or not the registrant is currently  
25 registered in another state, county or precinct, and if so, the name,  
26 address, county and state of previous registration.

27          14. The question to the registrant "Are you a citizen of the United  
28 States of America?", appropriate boxes for the registrant to check "yes" or  
29 "no" and the statement "if you checked 'no' in response to this question, do  
30 not complete this form".

31          15. The question to the registrant "Will you be eighteen years of age  
32 on or before election day?", appropriate boxes for the registrant to check  
33 "yes" or "no" and the statement "if you checked 'no' in response to this  
34 question, do not complete this form".

35          16. A statement that the registrant has not been convicted of treason  
36 or a felony, or if so, that the registrant's civil rights have been restored.

37          17. A statement that the registrant is a resident of this state and of  
38 the county in which the registrant is registering.

39          18. A statement that executing a false registration is a class 6  
40 felony.

41          19. The signature of the registrant.

42          20. If the registrant is unable to sign the form, a statement that the  
43 affidavit was completed according to the registrant's direction.

1        21. A statement that if an applicant declines to register to vote, the  
2 fact that the applicant has declined to register will remain confidential and  
3 will be used only for voter registration purposes.

4        22. A statement that if an applicant does register to vote, the office  
5 at which the applicant submits a voter registration application will remain  
6 confidential and will be used only for voter registration purposes.

7        B. A duplicate voter receipt shall be provided with the form that  
8 provides space for the name, street address and city of residence of the  
9 applicant, party preference and the date of signing. The voter receipt is  
10 evidence of valid registration for the purpose of casting a provisional  
11 ballot as prescribed in section 16-584, subsection B.

12        C. The state voter registration form shall be printed in a form  
13 prescribed by the secretary of state.

14        D. The county recorder may establish procedures to verify whether a  
15 registrant has successfully petitioned the court for an injunction against  
16 harassment pursuant to section 12-1809 or an order of protection pursuant to  
17 section 12-1810 or 13-3602 and, if verified, to protect the registrant's  
18 residence address, telephone number or voting precinct number, if  
19 appropriate, from public disclosure.

20        Sec. 3. Section 16-165, Arizona Revised Statutes, is amended to read:

21        16-165. Causes for cancellation

22        A. The county recorder shall cancel a registration: --

23        1. At the request of the person registered.

24        2. When the county recorder knows of the death of the person  
25 registered.

26        3. If the person has been adjudicated an incapacitated person as  
27 defined in section 14-5101.

28        4. When the person registered has been convicted of a felony, and the  
29 judgment of conviction has not been reversed or set aside. The county  
30 recorder shall cancel the registration on receipt of notice of a felony  
31 conviction from the court or from the secretary of state or when reported by  
32 the elector on a signed juror questionnaire that is completed pursuant to  
33 section 21-314.

34        5. Upon production of a certified copy of a judgment directing a  
35 cancellation to be made.

36        6. Promptly after the election if the person registered has applied  
37 for a ballot pursuant to section 16-126.

38        7. When a person has been on the inactive voter list and has not voted  
39 during the time periods prescribed in section 16-166, subsection C.

40        8. When the county recorder receives written information from the  
41 person registered that the person has a change of residence within the county  
42 and the person does not complete and return a new registration form within  
43 ~~thirty-five~~ TWENTY-NINE days after the county recorder mails notification of  
44 the need to complete and return a new registration form with current  
45 information.

1           9. When the county recorder receives written information from the  
2 person registered that the person has a change of address outside the county.

3           B. If the county recorder cancels a registration pursuant to  
4 subsection A, paragraph 8 of this section, the county recorder shall send the  
5 person notice that ~~his~~ THE registration has been cancelled and a registration  
6 form with the information described in section 16-131, subsection C attached  
7 to the form.

8           C. When proceedings ~~are had~~ in the superior court ~~resulting~~ OR THE  
9 DISTRICT COURT RESULT in a person being declared incapable of taking care of  
10 himself and managing his property, and for whom a guardian of ~~his~~ THE person  
11 and estate is appointed, ~~or resulting~~ RESULT in such person being committed  
12 as an insane person, ~~or resulting~~ RESULT in a person being convicted of a  
13 felony, the clerk of the superior court in the county in which such THOSE  
14 proceedings ~~were had~~ OCCURRED shall file with the ~~appropriate county recorder~~  
15 a certificate SECRETARY OF STATE AN OFFICIAL NOTICE of such THAT fact, ~~. THE~~  
16 SECRETARY OF STATE SHALL NOTIFY THE APPROPRIATE COUNTY RECORDER and the  
17 recorder shall cancel the name of the person upon the register. Such  
18 certificate NOTICE shall name the person covered, shall give ~~his~~ THE PERSON'S  
19 date and place of birth if available, ~~his~~ THE PERSON'S social security  
20 number, if available, ~~his~~ THE PERSON'S usual place of residence, ~~and his~~ THE  
21 PERSON'S address AND THE DATE OF THE NOTICE, and shall be filed with the  
22 recorder of the county where the person last resided.

23           D. Each month the department of health services shall transmit to the  
24 ~~appropriate county recorder~~ SECRETARY OF STATE without charge a record of the  
25 death of every resident of ~~his county~~ THE STATE sixteen years of age and  
26 older reported to the department within the preceding month. This record  
27 shall include only the name of the decedent, ~~his~~ THE DECEDENT'S date of  
28 birth, ~~his~~ THE DECEDENT'S social security number, if available, ~~his~~ THE  
29 DECEDENT'S usual legal residence at the time of ~~his~~ death and, if available,  
30 the decedent's father's name or ~~his~~ mother's maiden name. The record shall  
31 be used by the ~~county recorder~~ SECRETARY OF STATE for the sole purpose of  
32 removing CANCELLING the names of deceased persons from the ~~register~~ STATEWIDE  
33 VOTER REGISTRATION DATABASE. Public access to the records is  
34 prohibited. Use of information from the records for purposes other than  
35 those required by this section is prohibited. The ~~recorder shall promptly~~  
36 ~~cancel the name of each deceased person~~ SHALL PROMPTLY BE CANCELLED from the  
37 ~~register~~ STATEWIDE VOTER REGISTRATION DATABASE AND THE SECRETARY OF STATE  
38 SHALL NOTIFY THE APPROPRIATE COUNTY RECORDER AND THE RECORDER SHALL CANCEL  
39 THE NAME OF THE PERSON FROM THE REGISTER.

40           Sec. 4. Section 16-168, Arizona Revised Statutes, is amended to read:

41           16-168. Precinct registers; date of preparation; contents;  
42                       copies; reports; statewide database; violation;  
43                       classification

44           A. By the tenth day preceding the primary and general elections the  
45 county recorder shall prepare from the original registration forms or from

1 electronic media at least four lists that are printed or typed on paper of  
2 all qualified electors in each precinct in the county, and ~~such~~ THE lists  
3 shall be the official precinct registers.

4 B. The official precinct registers for use at the polling place shall  
5 contain at least the names in full, party preference, date of registration  
6 and residence address of each qualified elector in the respective  
7 precincts. ~~Such~~ THE names shall be in alphabetical order and, in a column  
8 to the left of the names, ~~such names~~ shall be numbered consecutively  
9 beginning with number 1 in each precinct register.

10 C. For THE purposes of transmitting voter registration information as  
11 prescribed by this subsection, computer generated disks or computer software  
12 with at least six hundred forty megabytes of storage in counties with a  
13 population over five hundred thousand in the last decennial census shall be  
14 the principal media. A county or state chairman who is eligible to receive  
15 copies of precinct ~~registers~~ LISTS as prescribed by this subsection may  
16 request that the recorder provide a paper copy of the precinct ~~registers~~  
17 LISTS. The county recorder ~~shall~~, in addition to preparing the official  
18 precinct ~~registers~~ LISTS, SHALL provide a means for mechanically or  
19 electronically reproducing the precinct ~~registers~~ LISTS and ~~shall~~ unless  
20 otherwise agreed SHALL deliver within eight days after the close of  
21 registration for the primary and general elections, without charge, on the  
22 same day one electronic media copy of each precinct ~~register~~ LIST within the  
23 county to the county chairman and one electronic media copy to the state  
24 chairman of each party ~~which~~ THAT has at least four candidates other than  
25 presidential electors appearing upon the ballot in that county at the current  
26 election. The county recorder shall also DELIVER, upon request and without  
27 charge, deliver one electronic media copy of the precinct ~~register~~ LIST to  
28 the Arizona legislative council. The county recorder of a county with a  
29 population of fewer than four hundred thousand persons, on the same day  
30 precinct ~~registers~~ LISTS are delivered to county chairmen, shall deliver one  
31 electronic media copy of each precinct ~~register~~ LIST within the county to the  
32 state chairman of each party ~~which~~ THAT has at least four candidates other  
33 than presidential electors appearing on the ballot in this state at the  
34 current election. The copies of the precinct ~~registers~~ LISTS shall be on  
35 magnetic computer disks or computer software with at least six hundred forty  
36 megabytes of storage which shall include for each elector the following  
37 information:

- 38 1. Name in full and appropriate title.
- 39 2. Party preference.
- 40 3. Date of registration.
- 41 4. Residence address.
- 42 5. Mailing address, if different from residence address.
- 43 6. Zip code.
- 44 7. Telephone number if given.
- 45 8. Birth year.



1           9. Occupation IF GIVEN.

2           10. Primary election and general election voting history for the prior  
3 four years and any other information regarding registered voters which the  
4 county recorder or city or town clerk maintains on magnetic computer disks  
5 or computer software and which is public information.

6           D. The names on the precinct registers LISTS shall be in alphabetical  
7 order and the precinct registers LISTS in their entirety, ~~shall~~ unless  
8 otherwise agreed, SHALL be delivered to each county chairman and each state  
9 chairman at least quarterly and within ten business days of the close of each  
10 quarter in the same format and media as prescribed by subsection C of this  
11 section.

12           E. Precinct registers and other lists and information derived from  
13 registration forms may be used only for purposes relating to a political or  
14 political party activity, a political campaign or an election, for revising  
15 election district boundaries or for any other purpose specifically authorized  
16 by law and may not be used for a commercial purpose as defined in section  
17 39-121.03. The sale of registers, lists and information derived from  
18 registration forms to a candidate or a registered political committee for a  
19 use specifically authorized by this subsection does not constitute use for  
20 a commercial purpose. The county recorder, on a request for an authorized  
21 use and within thirty days from receipt of the request, shall prepare  
22 additional copies of an official precinct register LIST and furnish them to  
23 any person requesting them on payment of a fee equal to five cents for each  
24 name appearing on the register for a printed list and ten cents for each name  
25 for an electronic data medium, plus the cost of the blank computer disk or  
26 computer software if furnished by the recorder, for each copy so furnished.

27           F. Any person in possession of a precinct register OR LIST, in whole  
28 or part, or any reproduction of a precinct register OR LIST, shall not permit  
29 the register OR LIST to be used, bought, sold or otherwise transferred for  
30 any purpose except for uses otherwise authorized by this section. A person  
31 in possession of information derived from voter registration forms or  
32 precinct registers shall not distribute, post or otherwise provide access to  
33 any portion of that information through the internet except as authorized by  
34 subsection J of this section. Nothing in this section shall preclude public  
35 inspection of voter registration records at the office of the county recorder  
36 for the purposes prescribed by this section, except that the month and day  
37 of birth date, the social security number or any portion thereof, the driver  
38 license number or nonoperating identification license number, the unique  
39 identifying number prescribed by this section, the Indian census number, the  
40 father's name or mother's maiden name, the state or country of birth and the  
41 records containing a voter's signature shall not be accessible or reproduced  
42 by any person other than the voter, by an authorized government official in  
43 the scope of the official's duties, for signature verification on petitions  
44 and candidate filings, for election purposes and for news gathering purposes  
45 by a person engaged in newspaper, radio, television or reportorial work, or

1 connected with or employed by a newspaper, radio or television station or  
2 pursuant to a court order. Any A person violating WHO VIOLATES this  
3 subsection or subsection E of this section is guilty of a class 6 felony.

4 G. The county recorder shall count the registered voters by political  
5 party by precinct, legislative district and congressional district as  
6 follows:

7 1. In even numbered years, the county recorder shall count all persons  
8 who are registered to vote as of:

9 (a) January 1.

10 (b) March 1.

11 (c) The last day on which a person may register to be eligible to vote  
12 in the next primary election.

13 (d) The last day on which a person may register to be eligible to vote  
14 in the next general election.

15 (e) The last day on which a person may register to be eligible to vote  
16 in the next presidential preference election.

17 2. In odd numbered years, the county recorder shall count all persons  
18 who are registered to vote as of:

19 (a) January 1.

20 (b) April 1.

21 (c) July 1.

22 (d) October 1.

23 H. The county recorder shall report the totals to the secretary of  
24 state as soon as is practicable following each of the dates prescribed in  
25 subsection G of this section. The report shall include completed  
26 registration forms returned in accordance with section 16-134, subsection  
27 B. The county recorder shall also provide the report in a uniform electronic  
28 computer media format that shall be agreed upon between the secretary of  
29 state and all county recorders. The secretary of state shall then prepare  
30 a summary report for the state and shall maintain that report as a permanent  
31 record.

32 ~~I. Until the statewide voter registration database is implemented and~~  
33 ~~operational as prescribed by subsection K of this section, the county~~  
34 ~~recorder shall provide to the secretary of state a list of registered voters~~  
35 ~~in the county, including the voter's name, date of birth and state of birth~~  
36 ~~along with the count of registered voters pursuant to subsection G of this~~  
37 ~~section. The list of registered voters is a public record, except as~~  
38 ~~prescribed by subsection F of this section, and shall be in a format agreed~~  
39 ~~upon between the secretary of state and each county recorder. The list shall~~  
40 ~~be labeled to show that it is not an official listing of registered voters.~~  
41 ~~The secretary of state shall compare the lists to identify persons registered~~  
42 ~~in more than one county. If a person is registered in more than one county,~~  
43 ~~the secretary of state shall notify, within fifteen days after receipt of the~~  
44 ~~list, the county recorder in each county in which the person is registered~~  
45 ~~except the county recorder in the county in which the person registered last.~~



1 ~~The notice shall include the date of the person's latest registration. After~~  
2 ~~receiving this notice the county recorder shall cancel the person's~~  
3 ~~registration as of the date of the newest registration and notify the person~~  
4 ~~of the cancellation at the address provided by the secretary of state from~~  
5 ~~the county of the latest registration.~~

6 ~~J.~~ I. The county recorder AND THE SECRETARY OF STATE shall protect  
7 access to voter registration information in an auditable format and method  
8 specified in the secretary of state's electronic voting system instructions  
9 and procedures manual that is adopted pursuant to section 16-452.

10 ~~K.~~ J. The secretary of state shall develop and administer a statewide  
11 database of voter registration information that contains the name and  
12 registration information of every registered voter in this state. The  
13 database shall include an identifier that is unique for each individual  
14 voter. The database shall provide for access by voter registration officials  
15 and shall allow expedited entry of voter registration information after it  
16 is received by county recorders. AS A PART OF THE STATEWIDE VOTER  
17 REGISTRATION DATABASE, COUNTY RECORDERS SHALL PROVIDE FOR THE ELECTRONIC  
18 TRANSMITTAL OF THAT INFORMATION TO THE SECRETARY OF STATE ON A DAILY BASIS.  
19 The secretary of state shall provide for maintenance of the database,  
20 including provisions regarding removal of ineligible voters that are  
21 consistent with the national voter registration act of 1993 (42 United States  
22 Code section 394) and the help America vote act of 2002 (P.L. 107-252),  
23 provisions regarding removal of duplicate registrations and provisions to  
24 ensure that eligible voters are not removed in error.

25 ~~L.~~ K. For requests for the use of registration forms and access to  
26 information as provided in subsections E and F of this section, ~~the following~~  
27 ~~apply:~~

28 ~~1. The secretary of state shall receive and respond to requests~~  
29 ~~regarding statewide and federal elections.~~

30 ~~2. the county recorder shall receive and respond to requests regarding~~  
31 ~~all other FEDERAL, STATE AND COUNTY elections.~~

32 Sec. 5. Section 16-242, Arizona Revised Statutes, is amended to read:  
33 16-242. Qualifications for ballot; nomination paper

34 A. A person seeking nomination as a candidate for the office of  
35 president of the United States shall sign and cause to be filed with the  
36 secretary of state a nomination paper that contains the following  
37 information:

38 1. The name, residence address and mailing address of the candidate.

39 2. The name of the recognized political party from which the person  
40 seeks nomination.

41 3. The name and address of the chairman of the candidate's state  
42 committee.

43 4. The exact manner for printing the candidate's name on the  
44 presidential preference ballot pursuant to section 16-311.

1 B. The nomination paper shall be filed not less than forty days nor  
2 more than seventy days before the presidential preference election and not  
3 later than 5:00 p.m. on the last day for filing.

4 ~~C. A person seeking nomination as a candidate for the office of~~  
5 ~~president shall also cause to be filed with the secretary of state a copy of~~  
6 ~~those documents that indicate that the person has qualified with the federal~~  
7 ~~election commission for primary matching monies as a candidate for~~  
8 ~~president. These documents shall be filed with the nomination paper. A~~  
9 ~~person who is not qualified for primary matching monies is not eligible to~~  
10 ~~be a candidate in the presidential preference election. Section 16-351 does~~  
11 ~~not apply to a nomination paper filed pursuant to this section.~~

12 D. Within seventy-two hours after the close of filing the secretary  
13 of state shall certify to the officer in charge of elections the names of the  
14 candidates who are qualified for the presidential preference election ballot.

15 Sec. 6. Section 16-311, Arizona Revised Statutes, is amended to read:

16 16-311. Nomination papers; filing; definitions

17 A. Any person desiring to become a candidate at a primary election for  
18 a political party and to have the person's name printed on the official  
19 ballot shall be a qualified elector of such party and shall, not less than  
20 ninety nor more than one hundred twenty days before the primary election,  
21 SHALL sign and cause to be filed a nomination paper giving the person's  
22 actual residence address or description of place of residence and post office  
23 address, naming the party of which the person desires to become a candidate,  
24 stating the office and district or precinct, if any, for which the person  
25 offers the person's candidacy, stating the exact manner in which the person  
26 desires to have the person's name printed on the official ballot pursuant to  
27 subsection G, and giving the date of the primary election and, if nominated,  
28 the date of the general election at which the person desires to become a  
29 candidate. A candidate for public office shall be a qualified elector at the  
30 time of filing and shall reside in the county, district or precinct which the  
31 person proposes to represent.

32 B. Any person desiring to become a candidate at any nonpartisan  
33 election and to have the person's name printed on the official ballot shall  
34 be at the time of filing a qualified elector of such county, city, town or  
35 district and, not less than ninety nor more than one hundred twenty days  
36 before the election, shall sign and cause to be filed a nomination paper  
37 giving the person's actual residence address or description of place of  
38 residence and post office address, stating the office and county, city, town  
39 or district and ward or precinct, if any, for which the person offers the  
40 person's candidacy, stating the exact manner in which the person desires to  
41 have the person's name printed on the official ballot pursuant to subsection  
42 G and giving the date of the election. A candidate for office shall reside  
43 at the time of filing in the county, city, town, district, ward or precinct  
44 which the person proposes to represent.

1 C. Notwithstanding ~~the provisions of~~ subsection B to the contrary, any  
2 city or town may adopt by ordinance for its elections the time frame provided  
3 in subsection A for filing nomination petitions. Such ordinance shall be  
4 adopted not less than one hundred twenty days before the first election to  
5 which it applies.

6 D. All persons desiring to become a candidate shall file with the  
7 nomination paper provided for in subsection A an affidavit which shall be  
8 printed in a form prescribed by the secretary of state. The affidavit shall  
9 include facts sufficient to show that, other than the residency requirement  
10 provided in subsection A, the candidate will be qualified at the time of  
11 election to hold the office the person seeks.

12 E. The nomination paper of a candidate for the office of United States  
13 senator or representative in Congress, for the office of presidential elector  
14 or for a state office, including a member of the legislature, or for any  
15 other office for which the electors of the entire state or a subdivision of  
16 the state greater than a county are entitled to vote, shall be filed with the  
17 secretary of state no later than 5:00 p.m. on the last date for filing.

18 F. The nomination paper of a candidate for superior court judge or for  
19 a county, district and precinct office for which the electors of a county or  
20 a subdivision of a county other than an incorporated city or town are  
21 entitled to vote shall be filed with the county elections officer no later  
22 than 5:00 p.m. on the last date for filing as prescribed by subsection  
23 A. The nomination paper of a candidate for a city or town office shall be  
24 filed with the city or town clerk no later than 5:00 p.m. on the last date  
25 for filing. The nomination paper of a candidate for school district office  
26 shall be filed with the county school superintendent no later than 5:00 p.m.  
27 on the last date for filing.

28 G. The nomination paper shall include the exact manner in which the  
29 candidate desires to have the person's name printed on the official ballot  
30 and shall be limited to the candidate's surname and given name or names, an  
31 abbreviated version of such names or appropriate initials such as "Bob" for  
32 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".  
33 Nicknames are permissible, but in no event shall nicknames, abbreviated  
34 versions or initials of given names suggest reference to professional,  
35 fraternal, religious or military titles. No other descriptive name or names  
36 shall be printed on the official ballot, except as provided in this section.  
37 Candidates' abbreviated names or nicknames may be printed within quotation  
38 marks. The candidate's surname shall be printed first, followed by the given  
39 name or names.

40 H. A person who does not file a timely nomination paper that complies  
41 with this section is not eligible to have the person's name printed on the  
42 official ballot for that office. The filing officer shall not accept the  
43 nomination paper of a candidate for state or local office unless ~~it is~~  
44 ~~accompanied by~~ THE PERSON PROVIDES OR HAS PROVIDED all of the following:

- 45 1. The nomination petition required by this title.

1           2. A political committee statement of organization or the five hundred  
2 dollar threshold exemption statement FOR THAT OFFICE.

3           3. The financial disclosure statement as prescribed for candidates for  
4 that office.

5           I. ~~As used in~~ FOR THE PURPOSES OF this title:

6           1. "Election district" means the state, any county, city, town,  
7 precinct or other political subdivision or a special district which is not  
8 a political subdivision, which is authorized by statute to conduct an  
9 election and which is authorized or required to conduct its election in  
10 accordance with this title.

11           2. "Nomination paper" means the form filed with the appropriate office  
12 by a person wishing to declare the person's intent to become a candidate for  
13 a particular political office.

14           Sec. 7. Section 16-312, Arizona Revised Statutes, is amended to read:  
15           16-312. Filing of nomination papers for write-in candidates

16           A. Any person desiring to become a write-in candidate for an elective  
17 office in any election shall file a nomination paper, signed by the  
18 candidate, giving the person's actual residence address or description of  
19 place of residence and post office address, age, length of residence in the  
20 state and date of birth.

21           B. A write-in candidate shall file the nomination paper no later than  
22 5:00 p.m. on the fortieth day prior to the election, except that a candidate  
23 running as a write-in candidate as provided in section 16-343, subsection D,  
24 shall file the nomination paper no later than 5:00 p.m. on the fifth day  
25 before the election. The write-in filing procedure shall be in the same  
26 manner as prescribed in section 16-311. Any person who does not file a  
27 timely nomination paper shall not be counted in the tally of ballots. The  
28 filing officer shall not accept the nomination paper of a candidate for state  
29 or local office unless ~~it is accompanied by~~ THE CANDIDATE PROVIDES OR HAS  
30 PROVIDED both of the following:

31           1. A political committee statement of organization or the five hundred  
32 dollar threshold exemption statement FOR THAT OFFICE.

33           2. The financial disclosure statement as prescribed for candidates for  
34 that office.

35           C. The secretary of state shall notify the various boards of  
36 supervisors as to write-in candidates filing with the secretary of state's  
37 office. The county school superintendent shall notify the appropriate board  
38 of supervisors as to write-in candidates filing with the superintendent's  
39 office. The board of supervisors shall notify the appropriate election board  
40 inspector of all candidates who have properly filed such statements. In the  
41 case of a city or town election, the city or town clerk shall notify the  
42 appropriate election board inspector of candidates properly filed. No other  
43 write-ins shall be counted. The election board inspector shall post the  
44 notice of official write-in candidates in a conspicuous location within the  
45 polling place.

1 D. Except as provided in section 16-343, subsection E, a candidate may  
2 not file pursuant to this section if any of the following applies:

3 1. For a candidate in the general election, the candidate ran in the  
4 immediately preceding primary election and failed to be nominated to the  
5 office sought in the current election.

6 2. For a candidate in the general election, the candidate filed a  
7 nomination petition for the immediately preceding primary election for the  
8 office sought and failed to provide a sufficient number of valid petition  
9 signatures as prescribed by section 16-322.

10 3. For a candidate in the primary election, the candidate filed a  
11 nomination petition for the current primary election for the office sought  
12 and failed to provide a sufficient number of valid petition signatures as  
13 prescribed by section 16-322.

14 E. A person who files a nomination paper pursuant to this section for  
15 the office of president of the United States shall designate in writing to  
16 the secretary of state at the time of filing the name of the candidate's  
17 vice-presidential running mate, the names of presidential electors who will  
18 represent that candidate and a statement signed by the vice-presidential  
19 running mate and designated presidential electors that indicates their  
20 consent to be designated. A nomination paper for each presidential elector  
21 designated shall be filed with the candidate's nomination paper. The number  
22 of presidential electors shall equal the number of United States senators and  
23 representatives in Congress from this state.

24 Sec. 8. Section 16-341, Arizona Revised Statutes, is amended to read:

25 16-341. Nomination petition; method and time of filing; form;  
26 qualifications and number of petitioners required

27 A. Any qualified elector who is not a registered member of a political  
28 party that is recognized pursuant to this title may be nominated as a  
29 candidate for public office otherwise than by primary election or by party  
30 committee pursuant to this section.

31 B. The provisions of this article shall not be used to place on the  
32 general election ballot the name of a political party which fails to meet the  
33 qualifications specified in section 16-802 or 16-804, or the name of any  
34 candidate representing such party or the name of a candidate who has filed  
35 a nomination petition in the immediately preceding primary election and has  
36 failed to qualify as the result of an insufficient number of valid  
37 signatures.

38 C. A nomination petition stating the name of the office to be filled,  
39 the name and residence of the candidate and other information required by  
40 this section shall be filed at the same time and with the same officer with  
41 whom primary nomination papers and petitions are required to be filed as  
42 prescribed in section 16-311. The petition shall be signed only by voters  
43 who have not signed the nomination petitions of a candidate for the office  
44 to be voted for at that primary election.



1 D. The nomination petition shall be in substantially the following  
2 form:

3 "The undersigned, qualified electors of \_\_\_\_\_ county,  
4 state of Arizona, do hereby nominate \_\_\_\_\_, who resides at  
5 \_\_\_\_\_ in the county of \_\_\_\_\_, as a candidate for the  
6 office of \_\_\_\_\_ at the general (or special, as the case may  
7 be) election to be held on the \_\_\_\_\_ day of \_\_\_\_\_,  
8 \_\_\_\_\_.

9 I hereby declare that I have not signed the  
10 nomination petitions of any candidate for the office  
11 to be voted for at this primary election, and I do  
12 hereby select the following designation under which  
13 name the said candidate shall be placed on the  
14 official ballot (here insert such designation not  
15 exceeding three words in length as the signers may  
16 select)."

17 E. The nomination petition shall conform as nearly as possible to the  
18 provisions relating to nomination petitions of candidates to be voted for at  
19 primary elections and shall be signed by at least three per cent of the  
20 qualified electors of the state, county, subdivision or district for which  
21 the candidate is nominated who are not members of a political party that is  
22 qualified to be represented by an official party ballot at the next ensuing  
23 primary election and accorded representation on the general election ballot.

24 F. The percentage of qualified electors necessary to sign the  
25 nomination petition shall be determined by the total number of registered  
26 voters from other than political parties that are qualified to be represented  
27 by an official party ballot at the next ensuing primary election and accorded  
28 representation on the general election ballot in the state, county,  
29 subdivision or district at the last general election.

30 G. For the purposes of this section, a nomination petition for the  
31 office of presidential elector shall include a group of names of candidates  
32 equal to the number of United States senators and representatives in Congress  
33 from this state instead of separate nomination petitions for each candidate  
34 for the office of presidential elector. A valid signature on a petition  
35 containing a group of presidential electors candidates is counted as a  
36 signature for the nomination of each of the candidates. The presidential  
37 candidate whom the candidates for presidential elector will represent shall  
38 designate in writing to the secretary of state the names of the candidates  
39 who will represent the presidential candidate before any signatures for the  
40 candidate can be accepted for filing.

41 H. A person who files a nomination paper pursuant to this section for  
42 the office of president of the United States shall designate in writing to  
43 the secretary of state at the time of filing the name of the candidate's  
44 vice-presidential running mate, the names of the presidential electors who  
45 will represent that candidate and a statement THAT IS signed by the



1 vice-presidential running mate and the designated presidential electors AND  
2 that indicates their consent to be designated. A nomination paper for each  
3 presidential elector designated shall be filed with the candidate's  
4 nomination paper. The number of presidential electors shall equal the number  
5 of United States senators and representatives in Congress from this state.

6 I. A candidate who does not file a timely nomination petition that  
7 complies with this section is not eligible to have the candidate's name  
8 printed on the official ballot for that office. The filing officer shall not  
9 accept the nomination paper of a candidate for state or local office unless  
10 ~~it is accompanied by~~ THE CANDIDATE PROVIDES OR HAS PROVIDED all of the  
11 following:

12 1. The nomination petition required by this title.

13 2. A political committee statement of organization or the five hundred  
14 dollar threshold exemption statement FOR THAT OFFICE.

15 3. The financial disclosure statement as prescribed for candidates for  
16 that office.

17 Sec. 9. Section 16-466, Arizona Revised Statutes, is amended to read:

18 16-466. Ballots, ballot labels and ballot screens;  
19 electromechanical

20 A. Ballots, and ballot labels ~~shall~~ AND BALLOT SCREENS, as far as  
21 practicable, SHALL be in the same order of arrangement as provided for paper  
22 ballots, except that such information may be printed in vertical or  
23 horizontal rows, or in a number of separate pages ~~which~~ OR SCREENS THAT are  
24 placed OR DISPLAYED on the voting device.

25 B. Ballot labels shall be printed in plain clear type in black ink  
26 and, for use in a general election, upon clear white materials and be of such  
27 size and arrangement as to fit the construction of the voting device or the  
28 vote tabulating equipment. Ballots prepared for use in a primary election  
29 shall be printed on material of a different color designation for each  
30 political party represented. Ballots may contain printed code marks or  
31 punched holes which may be used for placing the ballots in correct reading  
32 positions in counting devices. The code marks or punched holes shall not be  
33 used in any way that will reveal the identity of the voters voting the  
34 ballot.

35 C. The titles of offices may be arranged in vertical columns or in a  
36 series of separate pages OR SCREENS and shall be printed above or at the side  
37 of the names of candidates so as to indicate clearly the candidates for each  
38 office and the number to be elected. In case there are more candidates for  
39 an office than can be printed in one column or on one ballot page OR SCREEN,  
40 the ballot label shall be clearly marked that the list of candidates is  
41 continued on the following column, ~~or~~ page OR SCREEN, and insofar as may be  
42 practicable, the same number of names shall be printed on each column, ~~or~~  
43 page OR SCREEN.

44 D. In primary and nonpartisan elections the names of candidates for  
45 each office shall appear on the ballot, ~~or~~ ballot labels OR BALLOT SCREENS

1 so that each candidate occupies each position ~~on the ballot or ballot labels~~  
2 substantially the same number of times insofar as may be practicable. If  
3 there are fewer or the same number of candidates seeking office than the  
4 number to be elected, rotation of names shall not be required and the names  
5 shall be placed in alphabetical order.

6 E. In primary elections for a judicial office if there are two or more  
7 candidates of the same political party their names shall be alternated on the  
8 ballots OR BALLOT SCREENS so that the name of each candidate shall appear  
9 substantially an equal number of times in each possible location on the  
10 ballot OR SCREEN.

11 F. Two sample ballots, which shall be facsimile copies of the official  
12 ballot or ballot labels, shall be provided for each polling place and shall  
13 be posted on election day as provided for paper ballots. Sample ballots may  
14 be printed on a single page or on a number of pages stapled together.

15 Sec. 10. Section 16-584, Arizona Revised Statutes, is amended to read:

16 16-584. Qualified elector not on precinct register; recorder's  
17 certificate; verified ballot; procedure

18 A. A qualified elector whose name is not on the precinct register and  
19 who presents a certificate from the county recorder showing that he THE  
20 ELECTOR is entitled by law to vote in the precinct shall be entered on the  
21 signature roster on the blank following the last printed name and shall be  
22 given the next consecutive register number, and the qualified elector shall  
23 sign in the space provided.

24 B. A qualified elector whose name is not on the precinct register,  
25 upon presentation of identification verifying the identity of the elector  
26 that includes the voter's given name and surname and the complete residence  
27 address that is verified by the election board to be in the precinct or on  
28 signing an affirmation that states that the elector is a registered voter in  
29 that jurisdiction and is eligible to vote in that jurisdiction, shall be  
30 allowed to vote a provisional ballot.

31 C. If a voter has moved to a new address within the county and has not  
32 notified the county recorder of the change of address before the date of an  
33 election, the voter shall be permitted to correct the voting records for  
34 purposes of voting in future elections at the appropriate polling place for  
35 the voter's new address. The voter shall be permitted to vote a provisional  
36 ballot. The voter shall present a form of identification that includes the  
37 voter's given name and surname and the voter's complete residence  
38 address. The residence address must be within the precinct in which the  
39 voter is attempting to vote, and the voter shall affirm in writing that the  
40 voter is registered in that jurisdiction and is eligible to vote in that  
41 jurisdiction.

42 D. On completion of the ballot, the election official shall remove the  
43 ballot stub, shall place the ballot in a provisional ballot envelope and  
44 shall deposit the envelope in the ballot box. Within TEN CALENDAR DAYS AFTER  
45 A GENERAL ELECTION THAT INCLUDES AN ELECTION FOR A FEDERAL OFFICE AND WITHIN

1 five business days after ~~the~~ ANY OTHER election or no later than the time at  
 2 which challenged early voting ballots are resolved, the signature shall be  
 3 compared to the precinct signature roster of the former precinct where the  
 4 voter was registered. If the voter's name is not signed on the roster and  
 5 if there is no indication that the voter voted an early ballot, the  
 6 provisional ballot envelope shall be opened and the ballot shall be  
 7 counted. If there is information showing the person did vote, the  
 8 provisional ballot shall remain unopened and shall not be counted. When  
 9 provisional ballots are confirmed for counting, the county recorder shall use  
 10 the information supplied on the provisional ballot envelope to correct the  
 11 address record of the voter.

12 E. When a voter is allowed to vote a provisional ballot, the elector's  
 13 name shall be entered on a separate signature roster page at the end of the  
 14 signature roster. Voters' names shall be numbered consecutively beginning  
 15 with the number V-1. The elector shall sign in the space provided. The  
 16 ballot stub shall be removed and the ballot shall be placed in a separate  
 17 envelope, the outside of which shall contain the precinct name or number, a  
 18 sworn or attested statement of the elector that the elector resides in the  
 19 precinct, is eligible to vote in the election and has not previously voted  
 20 in the election, the signature of the elector and THE voter registration  
 21 number of the elector, if available. ~~Such~~ THE ballot shall be verified for  
 22 proper registration of the elector by the county recorder before being  
 23 counted. ~~Such~~ THE verification shall be made by the county recorder within  
 24 five business days following the election, and the voter receipt card,  
 25 notification or identification card, if any, from the county recorder used  
 26 therefor, if valid, shall be returned to the elector within a reasonable time  
 27 thereafter. Verified ballots shall be counted by depositing the ballot in  
 28 the ballot box and showing on the records of the election that the elector  
 29 has voted. If registration is not verified the ballot shall remain unopened  
 30 and shall be retained in the same manner as voted ballots.

31 F. For any person who votes a provisional ballot, the county recorder  
 32 or other officer in charge of elections shall provide for a method of  
 33 notifying the provisional ballot voter at no cost to the voter whether the  
 34 voter's ballot was verified and counted and, if not counted, the reason for  
 35 not counting the ballot. The notification may be in the form of notice by  
 36 mail to the voter, establishment of a toll free telephone number, internet  
 37 access or other similar method to allow the voter to have access to this  
 38 information. The method of notification shall provide reasonable  
 39 restrictions that are designed to limit transmittal of the information only  
 40 to the voter.

41 Sec. 11. Section 16-592, Arizona Revised Statutes, is amended to read:

42 16-592. Proceedings on challenge; disposition of ballot;  
 43 failure to be sworn or answer

44 A. Upon challenge being made, IF the person challenged, ~~if he~~ appears  
 45 to be registered, THE PERSON shall take and subscribe to the oath prescribed

1 in the "affidavit of registration" and, if ~~he~~ THE PERSON so elects, may be  
2 at once sworn to answer fully and truly all questions material to the  
3 challenge as are put to him THE PERSON by the inspector. Any returned United  
4 States mail addressed to the person challenged, OR the spouse of the person  
5 challenged, or both, and to the address appearing on the precinct register  
6 or affidavit shall be considered as sufficient grounds to proceed under this  
7 section.

8 B. If after the examination on the challenge, a majority of the  
9 election board is satisfied that the challenge is not valid, the person  
10 challenged shall be permitted to vote, ~~otherwise not, and the ballot, if he~~  
11 ~~has received one, shall without examination be at once destroyed in his~~  
12 ~~presence by the inspector.~~

13 C. If the person challenged refuses to be sworn or affirmed, or  
14 refuses to answer questions material to the challenge OR IF A MAJORITY OF THE  
15 ELECTION BOARD FINDS THAT THE CHALLENGE IS VALID, ~~he~~ THE PERSON CHALLENGED  
16 shall ~~not be allowed~~ BE PERMITTED TO vote A PROVISIONAL BALLOT PURSUANT TO  
17 SECTION 16-584.

18 Sec. 12. Section 16-664, Arizona Revised Statutes, is amended to read:  
19 16-664. Recount of votes by automatic tabulating system

20 A. In the event of a court-ordered recount of votes ~~which~~ THAT were  
21 cast and tabulated on electronic voting equipment for a state primary, state  
22 general or state special election, the secretary of state shall order the  
23 ballots recounted on an automatic tabulating system to be furnished and  
24 programmed by UNDER THE SUPERVISION OF the secretary of state. In the event  
25 of a court-ordered recount for elections other than for the office of  
26 supervisor, the secretary of state may designate the county board of  
27 supervisors to perform the duties assigned to the secretary of state.

28 B. If the office of secretary of state is contested, the governor  
29 shall order the ballots recounted on an automatic tabulating system to be  
30 furnished and programmed ~~at the direction~~ UNDER THE SUPERVISION of the  
31 governor.

32 C. The programs to be used in the recount of votes pursuant to this  
33 section shall differ from the programs prescribed by section 16-445 and used  
34 in the initial tabulation of the votes.

35 Sec. 13. Section 16-913, Arizona Revised Statutes, is amended to read:

36 16-913. Campaign finance reports; reporting of receipts and  
37 disbursements; exemptions; civil penalty

38 A. Except as provided in subsection K of this section, each political  
39 committee shall file campaign finance reports setting forth the committee's  
40 receipts and disbursements according to the schedule prescribed in  
41 subsections B and C of this section.

42 B. In any calendar year during which there is a regularly scheduled  
43 election at which any candidates, measures, questions or propositions appear  
44 or may appear on the ballot, the political committee shall file each of the  
45 following campaign finance reports:

1           1. A report covering the period beginning January 1 through May 31,  
2 filed no later than June 30.

3           2. A preelection report, which shall be filed not less than twelve  
4 days before any election and which shall be complete through the twentieth  
5 day before the election.

6           3. A postelection report, which shall be filed not more than thirty  
7 days after any election and which shall be complete through the twentieth day  
8 after the election.

9           C. In any other calendar year, the political committee shall file a  
10 report covering the period beginning twenty-one days after the date of the  
11 election in the preceding calendar year through December 31 of the  
12 nonelection year filed no later than January 31 of the following calendar  
13 year.

14           D. In the event that a political committee receives no contributions  
15 and makes no expenditures during a period in which it is required to file a  
16 campaign finance report, the committee treasurer or if the treasurer is  
17 unavailable the candidate may, in lieu of filing a report required by  
18 subsection B of this section, MAY sign and file a form prescribed by the  
19 secretary of state indicating no activity during the specific reporting  
20 period.

21           E. In lieu of the reports prescribed in subsections B and C of this  
22 section, a candidate's political committee that remains active after an  
23 election due to outstanding debts may file a document no later than January  
24 31 in a form prescribed by the secretary of state that states that the  
25 committee does not intend to receive any contributions or make any  
26 expenditures during the year. If a candidate's political committee does  
27 receive a contribution or make an expenditure during that year, the committee  
28 shall report as prescribed by subsection B or C of this section.

29           F. A judge who has filed a declaration of ~~his~~ THE desire to be  
30 retained in office is exempt from filing any report required by this section  
31 if the judge, not later than twelve days before the general election, files  
32 a statement signed and sworn to by him THE JUDGE certifying that ~~he~~ THE JUDGE  
33 has received no contributions, has made no expenditures and has no campaign  
34 committee and that ~~he~~ THE JUDGE does not intend to receive contributions,  
35 make expenditures or have a campaign committee for the purpose of influencing  
36 the result of the vote on the question of ~~his~~ THE JUDGE'S retention. With  
37 respect to superior court judges, a statement filed pursuant to this  
38 subsection is effective until the earlier of twelve days before the third  
39 general election following the filing of this statement or the judge receives  
40 contributions, makes expenditures or authorizes a campaign committee. Such  
41 a statement filed by a supreme court justice or a court of appeals judge is  
42 effective until the earlier of twelve days before the fourth general election  
43 following the filing of this statement or the justice or judge receives  
44 contributions, makes expenditures or authorizes a campaign committee.



1 G. Reports in connection with special or recall elections shall  
2 conform to the filing deadlines set forth in subsection B of this section.

3 H. Except as provided in section 16-916, subsection B and subsection  
4 K of this section, a political committee shall comply with the requirements  
5 of this section in each jurisdiction in this state in which the committee has  
6 filed a statement of organization until the committee terminates pursuant to  
7 section 16-914, and its statements, designations and reports shall be filed  
8 with each officer with whom it has filed a statement of organization, as  
9 appropriate.

10 I. Each report required to be filed pursuant to this section shall be  
11 signed by the committee treasurer or the candidate or the designating  
12 individual if the treasurer is unavailable and shall contain the  
13 certification of the signer under penalty of perjury that the report is true  
14 and complete.

15 J. A political committee and the candidate, in the case of a  
16 candidate's campaign committee, or the designating individual, in the case  
17 of an exploratory committee, who violate this section are subject to the  
18 penalty prescribed in section 16-918.

19 K. A standing political committee shall file reports with the  
20 secretary of state and is exempt from filing a report with any other  
21 jurisdiction in which it is active. The reports shall be in an electronic  
22 format as prescribed by the secretary of state and shall be filed by delivery  
23 of a computer diskette or cd-rom that contains the report or by use of the  
24 internet. The secretary of state shall promptly make the reports available  
25 to the public on the internet and on paper by request. The standing  
26 committee shall file the following reports:

27 ~~1. A report covering the period beginning January 1 through May 31,~~  
28 ~~filed not later than June 30.~~

29 ~~2.~~ 1. A preelection report that is due as prescribed by subsection  
30 B, paragraph 2 of this section shall be filed for each consolidated election  
31 date prescribed by section 16-204.

32 ~~3.~~ 2. A postelection report that is due as prescribed by subsection  
33 B, paragraph 3 of this section shall be filed for each consolidated election  
34 date prescribed by section 16-204.

35 ~~4.~~ 3. An annual report that is due by January 31 in the year  
36 immediately following the calendar year that is the subject of the report.

37 Sec. 14. Section 16-917, Arizona Revised Statutes, is amended to read:

38 16-917. Independent expenditures; in-kind contribution; civil  
39 penalty

40 A. A political committee that makes independent expenditures for  
41 literature or an advertisement relating to any one candidate or office within  
42 ten days before the day of any election to which the expenditures relate,  
43 shall send by certified mail a copy of the campaign literature or  
44 advertisement to each candidate named or otherwise referred to in the  
45 literature or advertisement twenty-four hours before AFTER depositing it at



1 the post office for mailing, twenty-four hours ~~before~~ AFTER submitting it to  
2 a telecommunications system for broadcast or twenty-four hours ~~before~~ AFTER  
3 submitting it to a newspaper for printing.

4 B. The copy of the literature or advertisement sent to a candidate  
5 pursuant to subsection A of this section shall be a reproduction that is  
6 clearly readable, viewable or audible.

7 C. An expenditure by a political committee or a person that does not  
8 meet the definition of an independent expenditure is an in-kind contribution  
9 to the candidate and a corresponding expenditure by the candidate unless  
10 otherwise exempted.

11 D. A person who violates this section is subject to a civil penalty  
12 of three times the cost of the literature or advertisement that was  
13 distributed in violation of this section. This civil penalty shall be  
14 imposed as prescribed in section 16-924.

APPROVED BY THE GOVERNOR MAY 3, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 3, 2004.